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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

VU M. BUI,)	Civil No. 08-1279-CL
)	
Plaintiff,)	ORDER
)	
v.)	
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

PANNER, Judge.

On July 29, 2009, Magistrate Judge Clarke filed his Report and Recommendation, which recommends reversing the decision of the Commissioner and remanding the matter for further administrative proceedings. No party has objected to that Recommendation. The matter is now before me for *de novo* review pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Conclusion

Magistrate Judge Clarke's Report and Recommendation (docket # 19) are adopted. The decision of the Commissioner is reversed and the matter remanded, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings.

On remand, the Administrative Law Judge will determine Plaintiff's education level and provide a proper hypothetical to

the Vocational Expert. If there may be a conflict between Plaintiff's abilities and the jobs the Vocational Expert identifies as potentially suitable for Plaintiff, the Administrative Law Judge will inquire further and require a reasoned explanation from the Vocational Expert.

IT IS SO ORDERED.

DATED this 25 day of August, 2009.


Owen M. Panner
United States District Judge